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PTO/SB/97 (05-03)

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on April 25, 2005
Date
Geraldine GressREED SMITH LLP
599 Lexington Avenue
29th Floor
New York, New York 10022-7650
Tel: 212-521-5400; Fax: 212-521-5450
wdippert@reedsmith.comTO: Commissioner For Patents Fax No.: (703) 872-9306
FROM: William H. Dippert
RE: U.S. Patent Application Serial No. 10/506,859

Note: Each paper must have its own certificate of transmission, or this certificate must identify each submitted paper.

Applicant: Varda Herskowitz et al.
Serial No: 10/506,859
I.A. Filing Date: August 12, 2002
For: DYNAMIC BROADBAND OPTICAL EQUALIZEREnclosures: 1. Request For Withdrawal As Attorney or Agent (in duplicate);
2. Letter Accompanying Request For Withdrawal As Attorney or Agent (1 page);
3. Certification of Translation (1 page); 4. Letter from client (2 pages);
5. Copy of executed Assignment (4 pages); 6. Transmittal Letter (in duplicate);
7. Response To Notification of Missing Requirements (1 page);
8 Copy of said Notification (2 pages); 9 Executed Declaration (5 pages)

This collection of information is required by 37 CFR 1.8. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1.8 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

TRANSMITTAL LETTER (General - Patent Pending)				Docket No. 306/04152	
In Re Application Of: Varda HERSKOWITS, et al					
Application No. 10/506,859	Filing Date I.A. Aug 12, 2002	Examiner Unknown	Customer No. 44909	Group Art Unit Unknown	Confirmation No. 4702
Title: DYNAMIC BROADBAND EQUALIZER					
<u>COMMISSIONER FOR PATENTS:</u>					
Transmitted herewith is: Response to Notification of Missing Requirements dated February 11, 2005, including petition for 1 month extension of time (see below for extension fee).					
in the above identified application.					
<input type="checkbox"/> No additional fee is required.					
<input type="checkbox"/> A check in the amount of _____ is attached.					
<input checked="" type="checkbox"/> The Director is hereby authorized to charge and credit Deposit Account No. 03-3419 as described below.					
<input checked="" type="checkbox"/> Charge the amount of \$60.00					
<input checked="" type="checkbox"/> Credit any overpayment.					
<input checked="" type="checkbox"/> Charge any additional fee required.					
<input type="checkbox"/> Payment by credit card. Form PTO-2038 is attached.					
WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.					
 _____ Signature			Dated: April 21, 2005		
Maier FENSTER, Reg. No. 41,016					
William H. Dippert, Esq. Reed Smith LLP 599 Lexington Avenue, 29th Floor New York, NY 10022-7650 Tel: (212) 521-5400					
<div style="border: 1px solid black; padding: 2px; margin-bottom: 5px;">I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on _____ (Date)</div> <div style="border: 1px solid black; padding: 2px; margin-bottom: 5px;">_____ Signature of Person Mailing Correspondence</div> <div style="border: 1px solid black; padding: 2px;">_____ Typed or Printed Name of Person Mailing Correspondence</div>					
cc:					

PISA/REV03

306/04152

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Varda HERSKOWITS, et al.
Serial Number: 10/506,859
I.A. Filing Date: August 12, 2002
For: Dynamic Broadband Optical Equalizer

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APR 25 2005

Commissioner of Patents and Trademarks
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Alexandria, VA 22313-1450

RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371
IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

This is a response to the Notification of Missing Requirements Under 35 U.S.C. §371 in the United States Designated/Elected Office (DO/EO/US) mailed on February 11, 2005.

Enclosed herewith for filing are the following:

- A copy of the Notification of Missing Requirements under 35 U.S.C. §371 in the United States Designated/Elected Office (DO/EO/US).
- A properly signed declaration in compliance with 37 C.F.R. §1.497(a) and (b).

This is a request under the provisions of 37 C.F.R. §1.136(a) to extend the period for filing a response to the above-identified Notification of Missing Requirements Under 35 U.S.C. §371. The requested extension is for one month, from April 11, 2005 until May 11, 2005. Enclosed herewith is an extension fee of \$60.00. If an additional time extension is required, please consider this a petition therefor.

REMARKS

Please see attached transmittal letter for deposit account authorization.
This response is being filed concurrently with a Request for Withdrawal as Attorney or Agent.

Respectfully submitted,
Varda HERSKOWITS, et al.


Maier FENSTER, Reg. No. 41,016

April 21, 2005
William H. Dippert, Esq.
Reed Smith LLP
599 Lexington Avenue, 29th Floor
New York, NY 10022-7650
Tel: (212) 521-5400

Page 1 of 2



UNITED STATES PATENT AND TRADEMARK OFFICE

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U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/505,859	Varla Hershkowitz	306/04152
INTERNATIONAL APPLICATION NO.		
PCT/IL02/00664		
LA. FILING DATE	PRIORITY DATE	
08/12/2002	03/14/2002	

44909
FENSTER & COMPANY INTELLECTUAL PROPERTY 2002 LTD.
C/O REED SMITH LLP
599 LEXINGTON AVENUE, 29TH FLOOR
NEW YORK, NY 10022-7660

CONFIRMATION NO. 4702
371 FORMALITIES LETTER
0000000015164061

Date Mailed: 02/11/2005

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Indication of Small Entity Status
- Copy of the International Application filed on 09/02/2004
- Copy of the International Search Report filed on 09/02/2004
- Copy of IPE Report filed on 09/02/2004
- Preliminary Amendments filed on 09/02/2004
- Oath or Declaration filed on 09/02/2004
- Small Entity Statement filed on 09/02/2004
- Request for Immediate Examination filed on 09/02/2004
- U.S. Basic National Fee filed on 09/02/2004
- Priority Documents filed on 09/02/2004

Fenster & Co.
17 -02- 2005
Docketed by *RW*

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the international application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
 - is not executed in accordance with either 37 CFR 1.68 or 37 CFR 1.68.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

DOCKET

Due April 11, 2005 Elected Decl.
Sept 11, 2005 Pending

Page 2 of 2

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

A copy of this notice MUST be returned with the response.

LAMONT M HUNTER

Telephone: (703) 308-9140 EXT 204

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/506,859	PCT/IL02/00664	306/04152

FORM PCT/DO/EO905 (571 Formalities Notice)

AELIS PHOTONICS, INC.**FACSIMILE TRANSMITTAL SHEET**

TO:	Paul Fenster	FROM:	Menachem Tipris
COMPANY:	Fenster & Company Intellectual Property 2002 Ltd.	DATE:	1 December 2004
FAX NUMBER:	03-9215383	TOTAL NO. OF PAGES INCLUDING COVER:	1
PHONE NUMBER:	03-9215380	SENDER'S REFERENCE NUMBER:	0120400-fenster
RE:	FREEZING ACTIVITY	YOUR REFERENCE NUMBER:	

☒ URGENT ☐ FOR REVIEW ☐ PLEASE COMMENT ☐ PLEASE REPLY ☐ PLEASE RECYCLE

NOTES/COMMENTS:

Dear Paul,

Following freezing all of the company's activities we hereby request that you freeze all activity connected to our matters which are in your care.

With thanks,

Menachem Tipris
Aelis Photonics (Israel) Ltd.

8 HAMELACHA ST. P.O. BOX 8778, NEW INDUSTRIAL ZONE, NETANYA 42504, ISRAEL
TEL: +972 9 8855322 FAX: +972 9 8855472 WWW.AELISPHOTONICS.COM

77 36x

AELIS PHOTONICS, INC.**FACSIMILE TRANSMITTAL SHEET**

TO:	של פוסטר	FROM:	מנחם שיפריס
COMPANY:	Feaster & Company Intellectual Property 2002 Ltd.	DATE:	1 דצמבר 2004
FAX NUMBER:	03-9215383	TOTAL NO. OF PAGES INCLUDING COVER:	1
PHONE NUMBER:	03-9215380	SENDER'S REFERENCE NUMBER:	0120400-feaster
URL:	הקפאת פעילות	YOUR REFERENCE NUMBER:	

☒ URGENT ☐ FOR REVIEW ☐ PLEASE COMMENT ☐ PLEASE REPLY ☐ PLEASE RECYCLE

NOTES/COMMENTS:

פול שלום רב,

בעקבות הקפאת הפעילות של החברה הרינו מבקשים מכם להקפא כל פעילות הקשורה בענייני אשד
בטיפולכם.

בתודה,

מנחם שיפריס
אליס פוטוניקס (ישראל) בע"מ

8 HAMELACHA ST., P.O. BOX 8778, NEW INDUSTRIAL ZONE, NETANYA 42504, ISRAEL
TEL: +972 9 8855222 FAX: +972 9 8855472 WWW.AELISPHOTONICS.COM

FENSTER & COMPANY

Intellectual Property Ltd.

P.O. Box 10256, Petach Tikva 49002, Israel

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Tel: +972-3-921 5380 Fax: +972-3-921 5383

Deliveries: 3rd Floor, Entrance #3, Basel Street 16, Kiryat Arye, Petach
Tikva 49510, Israel

CERTIFICATION OF TRANSLATION

I hereby certify that I am fluent in both the Hebrew and English languages and capable of translating documents from one into the other of these languages.

The attached document is a true and accurate English translation to the best of my knowledge and belief of a letter dated December 1, 2004 from Menachem Tipris, on behalf of Aelis Photonics (Israel) Ltd.

Signature: _____

Maier Fenster
U.S. Patent Agent
Reg. No. 41,016

Date: _____

21-4pm-05